

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADJUSTACAM LLC
Plaintiff

v.

AMAZON.COM, INC. et al.,
Defendants

Case No. 6:10-cv-329-LED

JURY

**DEFENDANTS BEST BUY CO., INC.’S, BEST BUY STORES, L.P.’S AND
BESTBUY.COM, LLC’S NOTICE OF JOINDER IN DEFENDANT DELL INC.’S
CORRECTED MOTION AND REPLY IN SUPPORT OF DEFENDANT DELL INC.’S
MOTION TO DISMISS PLAINTIFF’S ALLEGATIONS OF INDIRECT INFRINGEMENT
AND WILLFUL INFRINGEMENT FOR FAILURE TO STATE A CLAIM**

Defendants Best Buy Co., Inc., Best Buy Stores, L.P., and BestBuy.com, LLC (collectively, “Best Buy”) hereby join Defendant Dell Inc.’s Corrected Motion to Dismiss Plaintiff’s Allegations of Indirect Infringement and Willful Infringement for Failure to State a Claim (Docket No. 164); the associated Notice of Additional Authority Regarding Defendant Dell’s Corrected Motion to Dismiss (Docket No. 180); and the associated Reply in Support of its Motion to Dismiss (Docket No. 273), pursuant to Fed. R. Civ. P. 12(b)(6), and the arguments and authorities found therein.¹

AdjustaCam LLC’s (“AdjustaCam”) allegations of indirect infringement against Best Buy are substantively the same as those it has asserted against Dell, Inc. (“Dell”), and are deficient for the same reasons set forth in Dell’s Reply. *Compare* First Amended Complaint for Patent Infringement (Docket No. 111), ¶ 199 (Best Buy) *with* ¶ 92 (Dell); *see also id.* at ¶ 224 (Best Buy & Dell). Because AdjustaCam has not adequately pled the required facts to support

¹ Best Buy also is concurrently filing its Answer to AdjustaCam’s First Amended Complaint for Patent Infringement.

an allegation that Best Buy indirectly or willfully infringed the patent-in-suit, its indirect infringement and willful infringement claims against Best Buy should be dismissed.

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**ATTORNEYS FOR DEFENDANTS
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel of record who have consented to electronic service as this district requires. Local Rule CV-5(a)(3)(A).

/s/ Steven R. Daniels